

Introduction

Purpose of the report

- 1.1 This report contains the Joint Standing Committee on Treaties' review of thirteen treaty actions (two paired) referred or tabled during the first months of the 43rd Parliament.
- 1.2 Five of these treaties were referred on 16 November 2010, having been tabled during the 42nd Parliament (15, 16 and 21 June 2010). A further four treaty actions were tabled on 24 November 2010, one on 25 November 2010, followed by two on 9 February 2011 and the final one on 1 March 2011.
- 1.3 These treaty actions are proposed for ratification, and are dealt with in this report according to the order of presentation:
 - *2010 Amendments to Appendices I and II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora* (Doha, 25 March 2010)
 - *Implementation Procedures for Airworthiness Covering Design Approval, Production Activities, Export Airworthiness Approval, Post Design Approval Activities, and Technical Assistance Between Authorities under the Agreement on the Promotion of Aviation Safety Between the Government of Australia and the Government of the United States of America* (Gold Coast, 26 September 2005)
 - *United Nations Convention on the Use of Electronic Communications in International Contracts* (New York, 23 November 2005)

- *Exchange of Letters Constituting an Agreement to Amend Annex 4-A (Textile or Apparel Specific Rules of Origin) of the Australia-United States Free Trade Agreement (Washington, 18 May 2004)*
- *Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of New Zealand to amend Article 3 of the Australia New Zealand Closer Economic Relations Trade Agreement (ANZCERTA) (Canberra, 28 March 1983) and Exchange of Letters Constituting an Agreement between the Government of Australia and the Government of New Zealand to amend Annex G of the ANZCERTA (Canberra, 28 March 1983)*
- *International Labour Organization Protocol of 2002 to Convention No. 155: concerning Occupational Safety and Health and the Working Environment, 1981 (Geneva, 20 June 2002)*
- *International Labour Organization Convention No. 162: Convention Concerning Safety in the Use of Asbestos (Geneva, 24 June 1986)*
- *International Labour Organization Convention No. 175: Part-Time Work (Geneva, 24 June 1994)*
- *International Labour Organisation Convention No. 186: Maritime Convention (Geneva, 7 February 2006)*
- *Resolution MEPC.196 (59), adopted 17 July 2009, Amendments to the Annex of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships (MARPOL, London, 2 November 1973)*
- *Amendments to the Convention Establishing the Multilateral Investment Guarantee Agency to Modernise the Mandate of the Multilateral Investment Guarantee Agency (Seoul, 11 October 1985) and Amendment to the International Finance Corporation Articles of Agreement (Washington DC, 20 July 1956)*
- *Agreement between the Government of Australia and the Government of New Zealand on Trans-Tasman Court Proceedings and Regulatory Enforcement (Christchurch, 24 July 2008)*
- *Australia's Accession to the Council of Europe Convention on Cybercrime (Budapest, 23 November 2001)*

1.4 The Committee's resolution of appointment empowers it to inquire into and report on matters arising from a treaty and the related *National Interest Analysis* (NIA). This report deals with inquiries conducted under this

power and, consequently, refers frequently to the treaty text and to the NIA prepared by Government, in addition to other evidence taken.

- 1.5 Copies of each treaty and its associated NIA may be obtained from the Committee Secretariat or accessed through the Committee's website at:
<www.aph.gov.au/house/committee/jsct>

Conduct of the Committee's review

- 1.6 The treaties contained in this report were advertised in the national press and on the Committee's website. Invitations to lodge submissions were sent to all State Premiers, Chief Ministers and to the Presiding Officers of each Parliament, as well as to individuals who have expressed an interest in the Committee's review of proposed treaty actions. Submissions received and their authors are listed at Appendix A.
- 1.7 The Committee examined these treaties at public hearings held in Canberra on 22 November 2010, on 7 and 28 February, and on 21 and 25 March 2011. On 2 February 2011 the Committee met in Melbourne to enquire further into the proposed amendments to the ANZCERTA. The Committee also conducted a related site inspection of Stafford Group's suit-making factory in Preston, Victoria.
- 1.8 Transcripts of evidence from the public hearing may be obtained from the Committee Secretariat or accessed through the Committee's website under the date referred or the treaty's tabling date at:
- **16 November 2010**
<www.aph.gov.au/house/committee/jsct/16november2010/hearings.htm>
 - **24 November and 25 November 2010**
<www.aph.gov.au/house/committee/jsct/24november2010/hearings.htm>
 - **9 February 2011**
<www.aph.gov.au/house/committee/jsct/9february2011/hearings.htm>
 - **1 March 2011**
<www.aph.gov.au/house/committee/jsct/1march2011/hearings.htm>
- 1.9 A list of witnesses who appeared at the public hearings is at Appendix B.

